

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1, 3, 5-18, 22-26, and 28-47 are pending in the application, with claims 1, 22, and 37 being independent. Claims 1, 22, and 37 are amended herein. Support for the amendments can be found in the original disclosure at least at page 9, lines 6-14. No new matter has been added.

Statement of Substance of Interview

Initially, Applicant wishes to thank the Examiner for conducting an interview with Applicant's attorney, David A. Divine, on June 15, 2006.

During the interview, Applicant's Attorney presented arguments traversing the rejection of the independent claims based on Alpert, Markowitz et al., and Kubik et al. Applicant's Attorney also presented several proposed claim amendments to clarify aspects of the independent claims. Applicant's Attorney understood the Examiner to tentatively agree that the independent claims would distinguish over the cited references if amended along the lines of the second proposed amendment to representative claim 1, discussed during the interview. However, the Examiner indicated that she would need to update her search.

Without conceding the propriety of the rejection, and in the interest of expediting prosecution, independent claims 1, 22, and 37 are amended herein as proposed during the interview and are, therefore, believed to be patentable over the cited combination of references.

§ 103 Rejection

Claims 1, 3, 5-18, 22, 23, 25, 28-31, 33, 34, 36-38, 40, and 42 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,742,666 (Alpert) in view of U.S. Patent No. 6,295,346 B1 (Markowitz et al.) and U.S. Patent No. 6,959,324 (Kubik et al.). This rejection is respectfully traversed. Nevertheless, without conceding the propriety of the rejection, and in the interest of expediting prosecution, independent claims 1, 22, and 37 have been amended herein as discussed during the interview. Accordingly independent claims 1, 22, and 37 are believed to be patentable over the cited combination of references for at least the reasons discussed during the interview.

Dependent claims 3, 5-18, 23, 25, 28-31, 33, 34, 36, 38, 40, and 42 depend from one of independent claims 1, 22, and 37, and each is allowable by virtue of this dependency, as well as for the additional features that each recites.

For example, **dependent claim 18** depends from claim 1 and recites that “providing the notification message comprises providing a notification message that contains a status of the event.” The Office Action asserts that “in Alpert, the current, periodically updated location of the cellular telephone caller can be considered as an event status.” Applicant respectfully disagrees.

Independent claim 1, from which claim 18 depends, recites “obtaining an updated notification message from the remote device, wherein the updated notification message reflects a current location of the device.” Dependent claim 18 adds the feature that the notification message contains a status of the event. Thus, the notification message of

claim 18 must include a current location of the device AND a status of the event. The “updated location” of Alpert cannot be said to constitute both “a current location of the device” and “a status of the event,” as recited in claim 18. To apply the Alpert reference in this manner would essentially read the “event status” feature out of the claims.

Accordingly, claim 18 is allowable for at least this additional reason.

Dependent claim 30 depends indirectly from claim 1 and recites that “accessing the mapping data store comprises accessing a remote processor via the network, providing longitude/latitude data to the remote processor, and receiving a corresponding street address from the remote processor.” The Office Action asserts on page 4 that this feature is met by Alpert at column 14, lines 16-19. Applicant respectfully disagrees. The cited portion of Alpert merely states that:

The location information transmitted from the cellular telephone 50 preferably is in the form of location coordinates, for example longitude and latitude, which correspond to those on a map of the region 14. As described above, these coordinates may be converted manually or electronically in order to arrive at a more workable street address or the like.

The cited portion of Alpert et al. makes no suggest of “accessing a remote processor via the network, providing longitude/latitude data to the remote processor, and receiving a corresponding street address from the remote processor,” as recited in dependent claim 30.

Accordingly, claim 30 is allowable for at least this additional reason.

Claims 24, 26, and 39 were rejected under 35 U.S.C. § 103(a) as being obvious over Alpert, Markowitz et al., and Kubik et al., and further in view of U.S. Patent No. 6,442,241 B1 (Tsumpes). This rejection is respectfully traversed.

Claims 24, 26, and 39 depend from one of independent claims 22 and 37, and each, therefore, includes the features of its respective base claim.

As discussed above, none of Alpert, Markowitz et al., and Kubik et al. discloses or suggests testing contact information, “the testing comprising at least one of sending a test message and initiating a test call to each of the contacts,” as presently recited in independent claims 22 and 37.

Tsumpes was cited as allegedly teaching “the desirability of communicating an emergency notification message to a list of contacts in a variety of ways, such as voice, pager, voicemail, fax, and e-mail (which takes place over the Internet), with the subscriber account record indicating the formats in which a message is to be communicated for each contact ...” (see Office Action page 5). However, Tsumpes fails to teach or suggest testing contact data by “at least one of sending a test message and initiating a test call to each of the contacts,” as presently recited in independent claims 22 and 37. Thus, even if, for the sake of argument, the cited documents could be combined as suggested in the Office Action, Tsumpes still fails to remedy the deficiencies in Alpert, Markowitz et al. and Kubik et al. discussed above with respect to independent claims 22 and 37.

Accordingly, dependent claims 24, 26, and 39 are allowable by virtue of their dependence from one of claims 22 and 37, as well as for the additional features that they recite.

Claims 32, 35, and 41 were rejected under 35 U.S.C. § 103(a) as being obvious over Alpert, Markowitz et al., and Kubik et al., and further in view of U.S. Patent No. 5,864,755 (King et al.). This rejection is respectfully traversed.

Claims 32, 35, and 41 depend from independent claims 1, 22 and 37, respectively, and each, therefore, includes the features of its respective base claim.

As discussed above, none of Alpert, Markowitz et al., and Kubik et al. discloses or suggests testing contact information, “the testing comprising at least one of sending a test message and initiating a test call to each of the contacts,” as presently recited in independent claims 1, 22, and 37.

King et al. was cited as allegedly teaching “the desirability of returning a mobile phone to its normal status after a predetermined time period or in response to an appropriate command ...” (see Office Action page 6). However, King et al. fails to teach or suggest testing contact data by “at least one of sending a test message and initiating a test call to each of the contacts,” as presently recited in independent claims 1, 22, and 37. Thus, even if, for the sake of argument, the cited documents could be combined as suggested in the Office Action, King et al. still fails to remedy the deficiencies in Alpert, Markowitz et al., and Kubik et al. discussed above with respect to independent claims 1, 22, and 37.

Accordingly, dependent claims 32, 35, and 41 are allowable by virtue of their dependence from claims 1, 22, and 37, respectively, as well as for the additional features that they recite.

Claims 43-47 were rejected under 35 U.S.C. § 103(a) as being obvious over Alpert, Markowitz et al., and Kubik et al., and further in view of U.S. Patent Application Publication No. 2004/0247086 (Menard). This rejection is respectfully traversed.

Claims 43-47 depend from one of independent claims 1, 22 and 37, and each, therefore, includes the features of its respective base claim.

As discussed above, none of Alpert, Markowitz et al., and Kubik et al. discloses or suggests testing contact information, “the testing comprising at least one of sending a test message and initiating a test call to each of the contacts,” as presently recited in independent claims 1, 22, and 37.

Menard was cited as allegedly teaching “the desirability of providing emergency event information at a website including the location of the emergency situation, the number of injured people, treatment facility information, etc.” (see Office Action, paragraph spanning pages 6 and 7). However, Menard fails to teach or suggest testing contact data by “at least one of sending a test message and initiating a test call to each of the contacts,” as presently recited in independent claims 1, 22, and 37. Thus, even if, for the sake of argument, the cited documents could be combined as suggested in the Office Action, Menard still fails to remedy the deficiencies in Alpert, Markowitz et al., and Kubik et al. discussed above with respect to independent claims 1, 22, and 37.

Accordingly, dependent claims 43-47 are allowable by virtue of their dependence from claims 1, 22, and 37, as well as for the additional features that they recite.

CONCLUSION

For at least the foregoing reasons, claims 1, 3, 5-18, 22-26, and 28-47 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

If any issue remains unresolved that would prevent allowance of this case, **the Examiner is requested to contact the undersigned attorney to resolve the issue.**

Respectfully submitted,

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